

**SECOND CIRCUIT COURT OF APPEALS
UNITED STATES COURTHOUSE
40 FOLEY SQUARE
NEW YORK, NEW YORK 10007**

JOHN M. WALKER, Jr.
CHIEF JUDGE

ROSEANN B. MACKECHNIE
CLERK

(212) 857-8603

**INSTRUCTIONS FOR APPLYING FOR ADMISSION TO PRACTICE
BEFORE THIS COURT**

1. Read rule §46, a copy of which has been reproduced at the end of this application.
2. Use only the forms provided.
3. Enter required data completely and accurately. Carefully prepared application material will assist this office in expediting your admission.
4. Remit the required \$40.00 fee along with your application. Checks should be made payable to:

Clerk, U.S. Court of Appeals, 2nd Circuit

5. Your completed application and admission fee may be delivered to Room 1802 of this Courthouse or mailed to:

Clerk
United States Court of Appeals, 2nd Circuit
United States Courthouse, Rm. 1802
40 Foley Square
New York, New York 10007

U.S. COURT OF APPEALS, 2ND CIRCUIT

ATTORNEY ADMISSION DATA

FOR OFFICE USE ONLY	DATE OF ADMISSION
	ADMISSION NO.

PLEASE TYPE

_____	_____	_____	_____
LAST NAME	FIRST NAME	MIDDLE INITIAL	SOCIAL SECURITY NO.

_____	_____
HOME ADDRESS (NUMBER AND STREET)	DATE OF BIRTH (NUMBERS, M/D/Y)

_____	_____	_____	_____
CITY	STATE	ZIP	HOME TELEPHONE NUMBER (WITH AREA CODE)

NAME OF LAW FIRM, AGENCY or COMPANY

BUSINESS ADDRESS

BUSINESS TELEPHONE NO.
(WITH AREA CODE)

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

In the Matter of the Application
of

NOTICE OF INTENTION

for admission to practice before the United States
Court of Appeals for the Second Circuit

TO: The Clerk
United States Court of Appeals, 2nd Circuit

Please take notice that I hereby apply to the United States Court of Appeals for the
Second Circuit for admission to practice before this court.

Dated at _____, _____, this _____ day of
_____, _____.

Signature of Applicant

APPLICANT'S STATEMENT AND CERTIFICATION

I am eligible for admission to the Bar of the United States Court of Appeals for the Second Circuit and submit this statement and certification in support of my application for said admission:

(List courts to which you are admitted.)

I continue to be a member in good standing thereof.

I do hereby certify that I have:

- (1) satisfied the oral argument requirement (three appeals or two substantive motions in lieu of each appeal in (A) or (B) as indicated below).

(A) SUBSTANTIVE APPEALS IN STATE OR FEDERAL COURTS

Date _____ Title of Case _____ Court _____

(B) MOOT COURT APPEALS IN ABA RECOGNIZED LAW SCHOOLS

Year _____ Title of Case _____ Law School _____

(C) SUBSTANTIVE MOTIONS (Two substantive motions equal one appeal; six motions are needed if no appeals are listed).

Date _____ Title of Case _____ Court _____

- [] (2) observed two arguments of appeals in this Court.
[] (3) read and am familiar with the Federal Rules of Appellate Procedure and the local rules of this Court.
[] (4) completed the enclosed attorney admission data form.
[] (5) included a check or money order in the amount of \$40.

I am an attorney of good moral and professional character and have been neither disbarred nor suspended from practice in any court.

IMPORTANT. COMPLETE AND SIGN REVERSE SIDE OF THIS FORM.

WHEREOF, I respectfully apply for admission to practice before the United States Court of Appeals for the Second Circuit.

Name _____

Name of Law Firm _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone () _____

☐ I am a federal government attorney,* employed by the _____ .
(Agency)

Signature of Applicant

I, _____, do solemnly swear (or affirm) that
I will demean myself as an attorney and counselor of this Court, uprightly and according to law; and
that I will support the Constitution of the United States of America.

Dated

Signature of Applicant

* Pursuant to U.S. Judicial Conference policy, "[n]o fees are to be charged for services rendered on behalf of the United States,"

SPONSOR'S AFFIDAVIT AND MOTION

State of _____
County of _____ SS:

_____, being duly sworn deposes and says:

That I was duly admitted to practice before the United States Court of Appeals for the Second Circuit on _____, 200_____.

That this affidavit is submitted in support of the application of _____, for admission to the Bar of the United States Court of Appeals for the Second Circuit.

That I have read the applicant's statement and certification dated _____, _____; believe it to be true and correct and that it meets the requirements of Rule §46 of the rules of this Court.

That I have known the applicant since _____ and that my opinion of the applicant's character, reputation and competency is _____.

_____, WHEREFORE, your deponent respectfully moves the admission of the applicant as an attorney and counselor of this Court.

Dated at _____, this _____ day of _____, _____.

Name of Law Firm _____

Street Address _____

_____, City, State, Zip Code _____

Telephone [] _____

Subscribed and sworn to before me this
_____ day of _____, _____.

Signature of Sponsor

Notary Public

Before: Hon. _____, CJ

It is hereby ordered that the within motion for admission to the Bar of this court be and it hereby is granted.

Dated: _____

Clerk

Loc. Rule 46. Attorneys

(a) An applicant shall file with the clerk of the Court of Appeals, in addition to the material required by F.R.A.P. Rule 46, a certificate in writing on a form approved by the court that he has:

1. argued in either State or Federal appellate courts at least three appeals of a substantive nature. The argument of an appeal in a Moot Court program conducted by a law school recognized by the American Bar Association shall be deemed the equivalent of an argument in an appellate court;

2. observed the argument of two appeals in this court;

3. read and is familiar with the Federal Rules of Appellate Procedure and the local rules of this court; and

4. in lieu of each one of the three arguments required by (1) *supra*, argued two motions of substantive nature in which briefs or memoranda of law are submitted in State Courts, Federal Courts or before administrative tribunals.

(b) With the filing required by F.R.A.P. 46 and "(a)" above, a motion for admission may be made in writing, in which event it will be acted upon by a single judge, or orally at the beginning of any session of the Court without presence of the applicant being required. The movant shall represent that he has read the certificate filed in accordance with "(a)" above and that it meets the requirements of this Rule.

(c) Each applicant upon admission shall pay to the clerk a fee which shall be set by the court, to be held by the court in an appropriate depository and expended upon order of the chief judge for the expenses of the Law Library of the court located in the United States Courthouse, Foley Square, New York City, for out-of-pocket expenses incurred by attorneys or counselors assigned by the court to represent indigent persons not reimbursable under 18 U.S.C. §3006A or other applicable statute, or for other extraordinary purposes approved by the court.

(d) Counsel of record for all parties must be admitted to practice before this court. Oral argument may be presented only by attorneys admitted to practice before this court. Under exceptional circumstances an attorney may be admitted to argue an appeal pro hac vice. Such admission will be extended as a matter of course to a member of the Bar of a District Court within the circuit who has represented a criminal defendant at trial and appears for him on an appeal taken pursuant to 18 U.S.C. §3006A, or who is acting for any party in an appeal taken in forma pauperis.

1. A notice of appearance must be filed in each case by counsel of record and, if different, by counsel who will argue the appeal, not later than the date of filing the appellant's brief on a form to be provided by the clerk.

2. A corporation may not appear pro se. Papers submitted on behalf of a corporation for whom no counsel has entered an appearance will not be filed.

(e) Appearance and Argument by Eligible Law Students.

1. An eligible law student acting under a supervising attorney may appear in this Court on behalf of any indigent person, the United States, or a governmental agency, provided the party on whose behalf the student appears has consented thereto in writing.

2. The supervising attorney shall be a member of the bar of this Court and, with respect to the law student's proposed

appearance upon an appeal or other matter before this Court, shall:

(i) file with this Court the attorney's written consent to supervise the student;

(ii) assume personal professional responsibility for the student's work;

(iii) assist the student to the extent necessary;

(iv) appear with the student in all proceedings before this Court and be prepared to supplement any written or oral statement made by the student to this Court or opposing counsel.

3. In order to be eligible to appear, the student shall:

(i) be enrolled in a law school approved by the American Bar Association. The student shall be deemed to continue to meet this requirement as long as, following graduation, he or she is preparing to take the first state bar examination, of the state of his choice within this circuit, for which he or she is eligible or, having taken that examination, the student is awaiting publication of the results or admission to the bar after passing that examination;

(ii) have completed legal studies amounting to at least four semesters, or the equivalent;

(iii) be certified, by either the dean or a faculty member of his law school designated by the dean, as qualified to provide the legal representation permitted by this rule. This certification may be withdrawn by mailing a notice of withdrawal to the clerk of this court or it may be terminated, by vote of a majority of the panel sitting on a case in which the student is appearing, at any time without notice or hearing and without any showing of cause. The loss of certification by action of this court shall not be considered a reflection on the character or ability of the student. The dean or a faculty member designated by him may recertify such a student for appearances before other panels;

(iv) be introduced to this court by an attorney admitted to practice before this court;

(v) neither ask for nor receive any compensation or remuneration of any kind for his services from the party on whose behalf he renders services, but this shall not prevent an attorney, legal aid bureau, law school, public defender agency, or the United States from paying compensation to the eligible law student, nor shall it prevent any agency from making proper charges for its services;

(vi) certify in writing that he is familiar and will comply with the Code of Professional Responsibility of the American Bar Association;

(vii) certify in writing that he is familiar with the Federal Rules of Appellate Procedure, the Rules of this court, and any other federal rules relevant to the appeal in which he is appearing.

4. Upon filing with the clerk of this court the written consents and certifications required by this rule, an eligible law student supervised in accordance with this rule, may with respect to any appeal or other proceeding for which he had met the requirements of this rule:

(i) engage in the drafting or preparation of briefs, appendices, motions, or other documents;

(ii) appear before this court and participate in oral argument.